

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GENNET, KALLMANN, ANTIN & ROBINSON, P.C.
45 Broadway
New York, New York 10006
(212) 406-1919

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AMEREX GROUP, INC. and
AMEREX USA, INC.,

07 cv 3259 (HB)

Plaintiffs,

-against-

LEXINGTON INSURANCE COMPANY and
WESTCHESTER SURPLUS LINES
INSURANCE COMPANY,

DEFENDANTS'
MOTION FOR PARTIAL
SUMMARY JUDGMENT
COMPELLING APPRAISAL

ORAL ARGUMENT
REQUESTED

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Brief in Support of Motion, Local Civil Rule 56.1 Statement of Material Facts, Declaration of Mark L. Antin, Esq., the exhibits annexed thereto, and the pleadings heretofore had herein, defendants will move this Court at the U.S. Courthouse, 500 Pearl Street, New York, New York on the 3rd day of August, 2007, and at such time thereafter as the Court may grant for oral argument, for an order: granting defendant partial summary judgment, pursuant to Fed. R. Civ. P. 56(b), compelling enforcement of the appraisal clauses of the insurance policies at issue, which shall resolve the dispute between the parties as to the amount of the plaintiffs' loss, if any, subject to remaining coverage issues.

PLEASE TAKE FURTHER NOTICE, that opposition to the motion is due, pursuant to agreement between the parties, by July 27, 2007.

Dated: New York, New York
July 6, 2007

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